

United States Bankruptcy Court
Eastern District of New York

In re:
Eric H. Richmond
Debtor

Case No. 14-41678-cec
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0207-1

User: cteutonic
Form ID: pdf000

Page 1 of 1
Total Noticed: 2

Date Rcvd: May 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2017.

db +Eric H. Richmond, 227 4th Avenue, Brooklyn, NY 11215-1005
+Eric Richmond, 2107 Regent Place, Brooklyn NY 11226-3919

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2017 at the address(es) listed below:

Glenn P Warmuth on behalf of Interested Party P.B. #7 LLC gpw@stim-warmuth.com,
pjw@stim-warmuth.com
Jordan S Katz on behalf of Creditor Select Portfolio Servicing, Inc. as servicer for U.S.
Bank National Association, as trustee, on behalf of the holders of the Asset Backed Securities
Corporation Home Equity Loan Trust, Series NC 2005- edny@aldridgepite.com
Michael J. Macco ecf@maccosternlaw.com, jzarrilli@maccosternlaw.com
Michael J. Macco on behalf of Trustee Michael J. Macco ecf@maccosternlaw.com,
jzarrilli@maccosternlaw.com
Office of the United States Trustee USTPRegion02.BR.ECF@usdoj.gov

TOTAL: 5

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 13

Eric H. Richmond,

Case No. 14-41678-cec

Debtor(s).

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**ORDER TO FILE AMENDED PLAN AND
CURE POST PETITION MORTGAGE ARREARS**

WHEREAS, on April 7, 2014, Eric H. Richmond (the “Debtor”) filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code (ECF Doc. No. 1); and

WHEREAS, on April 21, 2014, the Debtor filed a chapter 13 plan (ECF Doc. No 14); and

WHEREAS, the Debtor’s most recent amended chapter 13 plan was filed on May 10, 2017 (ECF Doc. No 487); and

WHEREAS, on August 25, 2014, Select Portfolio Servicing, Inc. (the “Secured Creditor”) filed an amended proof of claim in the amount of \$236,735.29, which shows pre-petition arrears in the amount of \$64,078.94, secured by real property located at 66 Back Meadow Road, Nobleboro, ME (the “Secured Claim”) (Proof of Claim No. 5-2); and

WHEREAS, on November 13, 2014, the Debtor filed an objection to the Secured Claim pursuant to Bankruptcy Code § 502(b) and Bankruptcy Rule 3007 (the “Motion”) (ECF Doc. No 146); and

WHEREAS, on July 21, 2015, a decision and order were issued denying the Motion (the “Decision and Order”) (ECF Doc. Nos. 269 & 266); and

WHEREAS, all motions to reconsider the Decision and Order and all appeals from the Decision and Order have been denied;

WHEREAS, the Debtor's plan provides for no payment to holders of allowed secured claims; and

WHEREAS, under Bankruptcy Code § 1322(b)(5) the plan is required to provide for the payment of all pre-petition arrears on the Secured Claim, and for the maintenance of post-petition payments due to the Secured Creditor while the case is pending;

NOW, THEREFORE, it is

ORDERED, that the Debtor shall file an amended chapter 13 plan on or before June 5, 2017, that pays the pre-petition arrears owed to the Secured Creditor in accordance with Bankruptcy Code § 1322(b)(5), together with applicable trustee's commissions, in equal monthly payments over the remaining life of the chapter 13 plan, which may not exceed June 30, 2019; and it is further

ORDERED, that on or before June 15, 2017, the Debtor shall provide proof that the post-petition mortgage payments owed to the Secured Creditor have been paid in accordance with Bankruptcy Code § 1322(b)(5); and it is further

ORDERED, that in the event the Debtor fails to comply timely with this order, this chapter 13 case may be dismissed without further notice or hearing.

**Dated: Brooklyn, New York
May 22, 2017**




Carla E. Craig
United States Bankruptcy Judge